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### FACSIMILE COVER SHEET

**Examiner:** S.A. Sakelaris **Group:** 1634

**Date:** September 5, 2002

**Client Code:** 2709

**Facsimile No.:** 703-746-9104

**From:** Doreen M. Hogle

**Subject:** **Paper:** Supplemental Response to Reply to Restriction Requirement  
and Preliminary Amendment

**Docket No.:** 2709.1001-001

**Applicants:** Gary L. Breton

**Serial No.:** 09/540,209

**Filing Date:** April 4, 2000

Number of pages including this cover sheet: 6

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**Comments:**

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DMH/kan  
September 5, 2002

DOCKET NO. 2709.1001-001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Gary L. Breton

Application No.: 09/540,209 Group: 1634

Filed: April 4, 2000 Examiner: S.A. Sakelaris

For: NUCLEIC ACID AND AMINO ACID SEQUENCES RELATING  
TO *BACTEROIDES FRAGILIS* FOR DIAGNOSTICS AND  
THERAPEUTICS

CERTIFICATE OF FACSIMILE TRANSMISSION	
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on <u>9/5/02</u>	<u>Katie Norris</u>
Date	Signature
Katie Norris	
Typed or printed name of person signing certificate	

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

Transmitted herewith is a Supplemental Response to Reply to Restriction Requirement and Preliminary Amendment for filing in the above-identified application.

[ ] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[ ] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

	(COL 1)		(COL 2)	(COL 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	28	MINUS	* 28	0
INDEP	9	MINUS	** 9	0
FIRST PRESENTATION OF MULTIPLE DEP CLAIM				

\* not fewer than 20  
\*\* not fewer than 3

SMALL ENTITY		
	RATE	ADDIT. FEE
X	\$ 9	\$
X	\$42	\$
+	\$140	\$

TOTAL = \$ 0

OTHER THAN SMALL ENTITY		
	RATE	ADDIT FEE
X	\$18	\$ 0
X	\$84	\$ 0
+	\$280	\$

TOTAL = \$ 0

09/540,209

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Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [ ] month Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:	\$	_____
		\$	_____
		\$	_____
	TOTAL:	\$	<u>0</u>

A check is enclosed in payment of the following fees:

<input type="checkbox"/>	Petition for [ ] month Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:	\$	_____
		\$	_____
		\$	_____
	TOTAL:	\$	<u>0</u>

☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Doreen M. Hogle  
 Doreen M. Hogle  
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Dated: September 5, 2002

Sep-05-02 03:53pm From:HBSR

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DMH/kan  
September 5, 2002

Docket No 2709.1001-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gary L. Breton  
Application No.: 09/540,209 Group Art Unit: 1634  
Filed: April 4, 2000 Examiner: S.A. Sakelaris  
For: NUCLEIC ACID AND AMINO ACID SEQUENCES RELATING TO  
BACTEROIDES FRAGILIS FOR DIAGNOSTICS AND  
THERAPEUTICS

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on <u>9/5/02</u>	<u>Katie Norris</u>
Date	Signature
<u>Katie Norris</u>	
Typed or printed name of person signing certificate	

SUPPLEMENTAL RESPONSE TO  
REPLY TO RESTRICTION REQUIREMENT  
AND  
PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

Responsive to a telephone call from the Examiner for the above-identified patent application, Applicant hereby submits a Supplemental Response to the Reply to Restriction Requirement and Preliminary Amendment filed on July 29, 2002.

Please amend the application as follows:

In the Claims

Please amend Claim 10 as follows. Amendments to the claim are indicated in the attached "Marked Up Version of Amendments" (page i).